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**MINUTES**  
**INDIANA REAL ESTATE COMMISSION**  
**January 23, 2007**

**I. CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Commissioner Reed called the meeting to order at 10:20 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-34.1-2-3(b).

**Commission Members Present:**

Timothy M. Reed  
Charles (Charlie) W. Shook  
Susan Daniel  
Mark Bock  
Paul Boyter  
Norman E. McClain  
Sue Cox  
Carolyn McClintock  
Michael Lunsford

**Commission Members Absent:**

H. James Litten  
DJ Hines

**State Officials Present:**

Nicholas W. Rhoad, Commission Director, Indiana Professional Licensing Agency  
Jim Schmidt, Commission Advisory Counsel, Office of the Attorney General

**II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda  
Motion Carried  
9-0-0

**III. ADOPTION OF MINUTES FROM December 6, 2007**

A motion was made and seconded to adopt the agenda  
Motion Carried  
9-0-0

**IV. ADVISORY COUNSEL'S REPORT**

No report was offered

**V. INDIANA ATTORNEY GENERAL'S OFFICE REPORT**

The Indiana Attorney General's office provided a report to the Commission

**VI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER**

**A. State of Indiana v. Indy REO**

IREC 07-36

Re: Dismissal Order

A motion was made and seconded to approve the Motion to Dismiss  
McClintock / Boyter  
Motion Carried  
9-0-0

**B. State of Indiana v. Kenneth Blaudow**

IREC 07-53

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge  
Order  
McClintock / McClain  
Motion Carried  
9-0-0

**C. State of Indiana v. David Roefer**

IREC 07-57

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge  
Order  
McClain / Boyter  
Motion Carried  
9-0-0

**D. State of Indiana v. Shirley Kiel**

IREC 07-62

Re: Administrative Law Judge Panel's Order

Re: Objection to Administrative Law Judge Panel's Order

A motion was made and seconded to set a March 13, 2008 deadline for filing  
briefs in this matter and the Commission would make a decision at their March  
26, 2008 meeting.

McClain / Shook  
Motion Carried  
9-0-0

**E. State of Indiana v. Patricia Wilcox-McClung**

IREC 05-02

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge  
Order  
Daniel / McClintock  
Motion Carried  
9-0-0

**F. State of Indiana v. Marvin Michael Stephenson**

IREC 07-20

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge Order

Boyter / Lunsford

Motion Carried

9-0-0

**G. State of Indiana v. Michael Whitaker**

IREC 07-21

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge Order

Lunsford / McClintock

Motion Carried

9-0-0

**H. State of Indiana v. Mary E. Amos**

IREC 07-25

Re: Administrative Law Judge Panel's Order

A motion was made and seconded to approve the Administrative Law Judge Order

Daniel / Cox

Motion Carried

9-0-0

**I. State of Indiana v. Ann Wells**

IREC 07-59

Re: Dismissal Order

A motion was made and seconded to approve the Motion to Dismiss

Daniel / Boyter

Motion Carried

9-0-0

**J. State of Indiana v. Judith Joseph**

IREC 07-71

Re: Dismissal Order

A motion was made and seconded to approve the Motion to Dismiss

McClintock / Lunsford

Motion Carried

9-0-0

**K. State of Indiana v. Brandon Steffen**

IREC 07-55

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings of Fact,  
Conclusions of Law and Order

McClintock / McClian

Motion Carried

9-0-0

**VII. OLD/NEW BUSINESS**

**A. ARELLO**

Mr. Rhoad provided an update regarding ARELLO to the Commission

**B. Filing of consumer complaints**

No action was taken on this item

**C. Exam passage requirements**

The Commission discussed changing the exam pass score requirement

**D. Rules Committee Update**

The Rules Committee notified the Commission that at the March meeting they will discuss the working document that will revise the current administrative rules.

**E. Telephone based settlement conferences**

The Commission discussed the use of telephone based settlement conferences

**F. Home based offices**

The Commission discussed home based offices. They decided to address this matter in their current administrative rule changes.

**G. Legislative Update**

Mr. Rhoad provided an update on current legislative matters

- SB 143 - Childhood Lead Issues:
- HB 1360 – Mortgage Lending Issues
- HB 1346 – Loan Broker Commission
- SB 40 – Permits for Shoreline Activities:
- HB 1211 – Various Home Loan Matters:
- SB089 - Regulation of Loan Brokers:
- SB 009 - Real Estate Disclosure Forms:
- SB 275 - Mortgage lending issues:
- SB 302 - PLA Omnibus Bill:
- Other information: 34 other bills have direct impact on PLA and 68 other bills are “of interest” to PLA that could have an impact on the agency, Board, or Commission session.

## VIII. Administrative Rules Hearings

### 1. LSA #07-338 – Begins at 10:45

A motion was made and seconded to approve LSA #07-338  
McClain / Lunsford  
Motion Carried  
9-0-0

### 2. LSA 07-744 - Begins at 10:50

A motion was made and seconded to approve LSA #07-774  
McClain / McClintock  
Motion Carried  
9-0-0

## IX. Education Committee

### A. Waiver of One Year Experience Requirement

1. Michael K. Grant - Withdraw

### B. Positive Responses

1. Silvia Alvarez T
2. Thomas Ames A
3. Richard Burge T
4. Sharon Fultz T
5. Howard Junker III A
6. Douglas Kosek A
7. Erick Macias T
8. Hannah Ott A
9. Jason Schafer A
10. Ryan Christopher Scott A
11. Luke Shepard A
12. Jimmy Snyder A
13. Tahaun Darnell Squires A
14. James Swain A
15. Kristy Nicole Wilkes A
16. Jamie Mitchell Wilson A
17. Larry Anthony Wise A
18. Edwin Keller A
19. D. Charles Gantz (personal appearance) – did not appear
20. Nathan Gomez A

### C. Application for Acceptance of College Course Credits

1. William Ansty A
2. Andrew Boxberger A
3. Ryan Stairhime A

### D. Pre-Licensing Providers

1. Ivy Tech Community College- Northeast Sales course approval only  
3800 North Anthony Blvd, Fort Wayne A
2. Real Estate Career Institute Broker course approval  
8310 Allison Pointe Blvd, Suite 201 Indianapolis A

**E. Continuing Education Providers**

1. Appraisal Institute Hoosier State Chapter - A  
Spotlight on USPAP: Hypothetical Conditions and Extraordinary Assumptions 2.0E Sales and Brokers
  
2. McKissock, LP  
a. RESPA 2.0E online course Sales and Brokers ARELLO approved A  
b. Real Estate Related Investments & Qualified Plans 4.0E online Sales and Brokers ARELLO approved A  
c. Even Odder: More Oddball Appraisals 7.0E Sales and Brokers A  
d. Introduction to Expert Witness Testimony 7.0E Sales and Brokers A  
e. Mortgage Fraud-Protect Yourself 7.0E Sales and Brokers A  
f. Environmental Issues for Appraisers 7.0E Sales and Brokers A
  
3. Continuing Ed Express LLC Online courses - ARELLO approved A  
a. Vacation Property Investment Guide 4.0E Sales and Brokers A  
b. Fraud is Not an Option: Causes and Cures 4.0M Sales and Brokers A  
c. Agency and Fair Housing Best Practices 2.0M Sales and Brokers T
  
4. The CE Shop, Inc. Online approval requested for Sales and Brokers  
Director: Michael McAllister  
Course(s):  
a. Basics of Real Estate Taxation 5.0E A  
b. From Contract to Keys: the Mortgage Process 5.0E A  
c. Foundations of Real Estate Finance 5.0E A  
d. Real Estate Appraisal for Agents 5.0E A  
e. Selling to Your Sphere of Influence 3.0E A  
f. Keeping it Honest: Understanding Real Estate & Mortgage Fraud 2.0M (Anti-Trust) A  
g. Title & Escrow: Two Families, One Transaction 2.0M A  
h. Breaking Barriers: Fair Housing 2.0M A
  
5. Southeastern Indiana Board of Realtors  
a. Clandestine Drug Labs 1.0E D  
b. Carbon Monoxide 1.0E D  
c. Mold 1.0E D
  
6. Institute for Continuing Education, Inc. Online courses for Sales and Brokers  
Instructor: Elizabeth Tigner A  
Courses:  
a. About Real Estate Accounting 4.0E A  
b. About Critters, Pests & Real Estate 4.0E A  
c. About Commercial Leasing 4.0E A  
d. About Custom Homes 4.0E A  
e. About Home Inspections 4.0E A  
f. About Home Construction 4.0E A  
g. Understanding Real Estate Appraising and Math 4.0E A  
h. About Sexual Harassment 4.0E A  
i. About Real Estate And Water 4.0E A  
j. About Modern Mortgaging 4.0E A
  
7. HomeServices Real Estate Academy All courses for Sales and Brokers  
a. Avoiding FSBO Fizzle- Working the "For Sell by Owner" 3.0E A  
b. You Said what!?- Understanding the Intent of the Anti-Trust Laws 2.0M/1.0E APPROVED  
c. Expireds- Like Catching Fish in a Barrel 3.0E A  
d. Understanding RESPA- Avoiding the government Paid Condo 2.0M/1.0E APPROVED  
e. ANSI Residential Measuring Standard 3.0E D

**F. Continuing Education Instructor Applications**

- |                          |   |
|--------------------------|---|
| 1. Lynn Generette        | A |
| 2. Edward W. Hardig, Jr. | A |
| 3. Dianna M. Jackson     | A |
| 4. Michael McAllister    | A |
| 5. Ricahrd J. Madden     | A |
| 6. Patricia Pachak       | A |
| 7. Stephanie A. Perry    | A |
| 8. Elizabeth Tigner      | A |
| 9. Ed Meadows            | A |
| 10. Douglas Hodges       | A |

**G. Pre-Licensing Instructor Applications**

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|-----------------------|---|
| 1. Michael Glazer     | A |
| 2. Dena M. Lee        | A |
| 3. Daniel R. Smith    | A |
| 4. Catherine S. Wheat | A |

**X. Adjournment**

A motion was made and seconded to adjourn the meeting at 11:25 a.m.  
Motion Carried  
9-0-02

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Tim Reed, Chairman

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Date